

IV. REMARKS

1. Claims 1, 2, 5-17, 19, 20 and 23-25 are amended. The Abstract is amended.

2. Claims 1, 5, 6, 11, 17, 19, 23, 24 and 25 are amended to over come the 35 U.S.C. §112, second paragraph rejections.

With regard to claim 17, it is noted that the claim recites that the number of uplink radio bursts in which a part of an uplink aggregated coded data block is transmitted, is indicated for each part of the uplink aggregated coded data block.

3. Claims 1-11, 13, 15, 19-21 and 23-25 are not anticipated by Scheibel, Jr. et al. ("Scheibel"), U.S. Patent No. 5,606,561 under 35 U.S.C. §102(b).

Applicant's invention recites in claim 1 that a packet channel is formed by sequential bursts in CERTAIN time slots (one per frame) of a CERTAIN radio frame sequence, AND the number of bursts can even be dynamically altered to send a data block that relates to a packet data connection utilizing the very same packet channel.

This is not disclosed or suggested by Scheibel.

Rather, Scheibel teaches that packet data can be transmitted in one or more time slots per frame, depending on the mobile station capabilities. If more than one time slots are utilized, a data packet is divided into a plurality of fragments that are sent over the air interface with the principle of one fragment per one slot. The fragments are joined back together at the receiving end. Also, Scheibel applies only to multislots MS ("having at least one multiple time slot unit", as recited in claim 1) and

does not include any signaling. Applicant's invention applies to "single slot" and includes signaling.

Scheibel is in a way "parallel" (reserve one or more time slots within a radio frame for a data block) whereas Applicant's invention is more of "serial nature" and relates to maximizing the utilization of a certain channel, e.g. a certain time slot, by changing the (internal) allocation of such time slot in relation to consecutive frames. The change is in practice performed by selecting the number of bursts for sending a data block from a group of at least two alternative values.

Thus, the selection done by Scheibel is not equal to the selection claimed by the Applicant's invention, and the solutions have different benefits and drawbacks.

Thus, Scheibel clearly differs from Applicant's invention, and claim 1 is not disclosed or suggested.

Claims 2-11 should be allowable at least by reason of their respective dependencies. Also, unlike Applicant's invention, Scheibel is not related to channel coding or how data blocks are built. Rather, Scheibel only relates to TDMA frames. A TDMA frame is not a data block and Scheibel does not propose to multiplex users in data blocks. Thus, claims 2-11 are also patentable.

Claim 19 recites means for detecting the number of downlink radio bursts in which a downlink data block is transmitted and means for selecting the number of uplink radio bursts in which an uplink data block is transmitted. These features are neither disclosed nor suggested by Scheibel.

Claims 23 and 25 recite similar features and should also be allowable.

4. Claim 12 is not unpatentable over Scheibel in view of Radimirsch et al. under 35 U.S.C. §103(a).

Claim 12 should be allowable at least by reason of its dependency on claim 1.

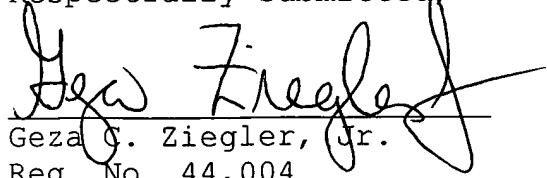
5. Claim 14 is not unpatentable over Scheibel in view of Barker et al. under 35 U.S.C. §103(a) at least by reason of its dependency on claim 1.

6. Claims 22 and 26 are not unpatentable over Scheibel in view of Persson et al. under 35 U.S.C. §103(a) at least by reason of their respective dependencies.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$110 is enclosed for a one-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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8 April 2004
Date

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